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Federal Agencies

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1635

Re: U.S. Utility Patent Application
Application No.: 09/446,317; § 371 Date: April 17, 2000
For: **Complexes for Transporting Nucleic Acid into Eukaryotic Higher-Cells**
Inventors: Wagner *et al.*
Our Ref: 0652.2010000/EKS/J-H

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Statement of Substance of Interview; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eric K. Steffe
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EKS/J-H/lvt
238973_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wagner *et. al.*

Application No.: 09/446,317

Filed: April 17, 2000

For: **Complexes for Transporting
Nucleic Acid into Eukaryotic
Higher-Cells**

Confirmation No.: 2149

Art Unit: 1635

Examiner: Richard A. Schnizer

Atty. Docket: 0652.2010000/EKS/J-H

Statement of Substance of Interview

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Interview Summary dated February 9, 2004 (PTO Prosecution Wrapper Paper No. 012204) and in accordance with 37 C.F.R. § 1.133(b) and MPEP § 713.04, Applicants' undersigned representative provides the following statement of the substance of the interview held with the Examiner in the above-captioned application.

On January 21, 2004, the Examiner and Ms. Julie Heider (Reg. No. 54,161), on behalf of the Applicants' undersigned representative, participated in a telephonic interview. During this interview, Ms. Heider informed the Examiner of the issuance of a Notice of Non-Compliant Amendment, dated December 29, 2003, and that this notice seemed to be in error as no Amendment had been filed by the Applicants. Subsequently, the Examiner inquired with the Legal Instrument Examiners who issued the Notice. On January 22, 2004, the Examiner left a telephone message with Ms. Heider indicating that the Notice was issued in error and that it would be deleted from the U.S. Patent and Trademark Office's electronic system (PALM). As a result, Applicants believe that it is

no longer necessary to reply to the Notice of Non-Compliant Amendment discussed above.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 3/9/04

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